

**REMARKS**

In the Office Action dated October 21, 2004, the Examiner acknowledged Applicants' priority claim under 35 U.S.C. § 119, but stated that a certified copy of the priority document has not yet been filed. In fact, a certified copy of Japanese Patent Application No. 2000-100909 was filed in the U.S. Patent Office on October 30, 2001, together with the Response to Notice to File Missing Parts. For the Examiner's reference, Applicants file herewith a copy of the stamped postcard showing receipt of the priority document by the U.S. Patent Office.

Regarding the substance of the Office Action, the Examiner rejected claims 1-3 under 35 U.S.C. § 102(b) as being anticipated by Finkelstein, U.S. Patent No. 5,060,265. By this Amendment, Applicants have amended the specification and claims 1-3 to clarify aspects of the invention, taking care not to add any new subject matter. Claims 1-3 are currently pending.

To properly anticipate a claim, a reference must teach every element of the claim. M.P.E.P. § 2131.01 (8<sup>th</sup> ed. 2001, 2nd revision May 2004). Finkelstein fails to teach every element of amended claims 1-3, and Applicants request the reconsideration and withdrawal of the section 102 rejections of these claims.

For example, claim 1, as amended, recites a stream enciphering method including carrying out exclusive-OR operations between a plaintext code and a PN signal that is formed such that the least common multiple of the length of a PN signal cycle and the basic processing unit of said plaintext code has a predetermined large value. Finkelstein does not teach such a method. Instead, the reference merely teaches altering a PN signal by ignoring at least one bit of the PN sequence, masking at

least one bit of the PN sequence, or altering a position of at least one bit of the PN sequence. Finkelstein, col. 3, l. 63 - col. 4, l. 14. Nothing in the reference teaches using a PN signal that is formed such that the least common multiple of the length of a PN signal cycle and the basic processing unit of a plaintext code has a predetermined large value, as recited in amended claim 1. Because Finkelstein does not disclose every element of claim 1, it cannot anticipate the claim and Applicants request the reconsideration and withdrawal of the section 102 rejection of claim 1.

Claim 2 recites a deciphering method for deciphering a cryptographic code that has been enciphered by carrying out exclusive-OR operations between a plaintext code and a PN signal that is formed such that the least common multiple of the length of a PN signal cycle and the basic processing unit of said plaintext code has a predetermined large value. As discussed above, Finkelstein does not contain such a teaching, and Applicants therefore request the reconsideration and withdrawal of the section 102 rejection of claim 2.

Finally, claim 3 recites a system comprising a storage means for storing a PN signal that is formed such that the least common multiple of the length of a PN signal cycle and the basic processing unit of a plaintext code has a predetermined large value. As discussed above, Finkelstein does not contain such a teaching, and Applicants therefore request the reconsideration and withdrawal of the section 102 rejection of claim 3.

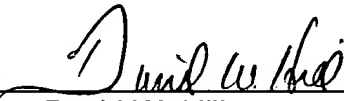
In view of the foregoing amendments and remarks, Applicants respectfully request reconsideration and reexamination of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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GARRETT & DUNNER, L.L.P.

Dated: February 22, 2005

By:   
David W. Hill  
Reg. No. 28,220

Attachments: Stamped Postcard Receipt dated October 30, 2001